Remarks

The Official Action rejected claims 1, 3, 8, 9, 11-16, 20, and 22-26. Applicant has canceled claims 1, 3, 8, 9, 11-16, 20, and 23; amended claims 22, 24, and 26; and added new claims 27-42. Claims 22 and 24-42 remain pending in the present application. Applicant respectfully requests allowance of the pending claims.

Claim Rejections – 35 USC § 102

The Official Action rejected claims 1, 3, 8, 9, 11-12, 15-16, 20, 22-24, and 26 under 35 USC 102(b) as being anticipated by Garrity et al. (U.S. Patent 5,894,283). Applicant has amended claims 22, 24, and 26 and canceled claims 1, 3, 8, 9, 11-12, 15-16, 20, and 23. Applicant respectfully requests the rejection of claims 22 and 24-26 be withdrawn.

As is well-established, in order to successfully assert a *prima facie* case of anticipation, the Official Action must provide a single prior art document that includes every element and limitation of the claim or claims being rejected. Therefore, if even one element or limitation is missing from the cited document, the Official Action has not succeeded in making a prima facie case.

Claim 22

Claim 22 requires a first switched capacitor transformer comprising a first capacitor and a first plurality of switches that couple the first capacitor to a voltage reference in a first period and that couple the first capacitor to the functional unit in order to deliver the reference voltage to the functional unit during a second time period and a second switched capacitor transformer comprising a second capacitor and a second

plurality of switches that couple the second capacitor to the voltage reference circuit in order to receive the reference voltage during the second period and that couple the second capacitor to the functional unit in order to deliver the reference voltage to the functional unit during the first period. The Official Action appears to rely on circuit of Fig. 6 of Garrity to teach limitations of claim 22.

Garrity appears to teach a stage of an analog-to-digital converter comprising a common mode sensing circuit 504 (col. 6, lines 21-26) that periodically refreshes the sensing node 580 to a desired input common mode voltage and outputs 514 and 516 to a desired output common mode voltage. Garrity does not teach a first switched capacitor transformer and a second switched capacitor transformer that operate to couple the voltage reference to the functional unit respectively during a first time period and a second time period as required by claim 22. Applicant respectfully requests that the rejection of claim 22 be withdrawn.

Claims 24 and 26

Claims 24 and 26 depend from claim 22. Accordingly, claims 24 and 26 is allowable for at least the reasons given above. Applicant respectfully requests that the rejection of claims 24 and 26 be withdrawn.

Claim Rejections – 35 USC § 103

The Official Action further rejected claims 13-14 and 25 under 35 USC 103(a) as being unpatentable over Garrity (US 5,894,283). Applicant has canceled claims 13 and 14. Claim 25 depends from allowable claim 22. Accordingly, claim 25 is allowable for at least the reasons stated above in regard to claim 22. Applicant respectfully requests that the rejection of claim 25 be withdrawn.

Newly Added Claims

Claims 27-29

Each of newly added claims 27-29 depend from an allowable claim 22 and includes limitations not taught, disclosed or suggested by Garrity. Thus, claims 27-29 are allowable for at least the reasons stated above in regard to claim 22. Allowance of claims 25 is earnestly solicited.

Claims 30-36

Each of newly added claims 30-36 include limitations not taught, disclosed or suggested by Garrity. Applicant points out that Garrity teaches (in col. 6, lines 12-24) a common mode sensing circuit 540 comprising a refresh circuit 604 and a load balancing circuit 606. The refresh circuit 604 refreshes the sensing node 580 coupled to the operational amplifier to maintain the operational amplifier at an optimum level within the operating range. The load balancing circuit 606 equalizes the frequency responses of the differential amplifier 602 during different phases by balancing the load appearing across the outputs 514 and 516 during different phases.

In particular, Garrity does not teach a plurality of switched capacitors, each switched capacitor to receive the reference voltage from the voltage reference circuit during a first time duration of a clock and to deliver the reference voltage to at least one functional unit of the plurality of functional units during a second time duration of the clock as required by claims 30-36. Allowance of claims 30-36 is earnestly solicited.

Claims 37-42

Each of newly added claims 37-42 include limitations not taught, disclosed or suggested by Garrity. Applicant points out that Garrity appears (as described in col. 6, lines 12-24 and col. 7, lines 8-11) to be dealing with maintaining common-mode voltages at a desired level and equalizing the frequency responses of the difference amplifier 602 during different clock phases to minimize output spurs and data errors.

In particular, Garrity does not teach generating a reference voltage, coupling the reference voltage to a first capacitor and decoupling a functional unit from the first capacitor to develop the reference voltage across the first capacitor during a first period of a clock, and decoupling the reference voltage from a second capacitor and coupling a functional unit to the second capacitor to provide the functional unit with the reference voltage during the first period of the clock as required by claims 37-42. Allowance of claims 37-42 is earnestly solicited.

Intel Corporation Docket No.: P15901 Serial No.: 10/686,962

Conclusion

The foregoing is submitted as a full and complete response to the Official Action. Applicant submits that the application is in condition for allowance. Reconsideration is requested, and allowance of the pending claims is earnestly solicited. Should it be determined that an additional fee is due under 37 CFR §§1.16 or 1.17, or any excess fee has been received, please charge that fee or credit the amount of overcharge to deposit account 02-2666. If the Examiner believes that there are any informalities, which can be corrected by an Examiner's amendment, a telephone call to the undersigned at (503) 439-8778 is respectfully solicited.

Respectfully submitted,

Date: December 1, 2005

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On: December 1, 2005
Signature Katherine Jennings
Katherine Jennings Date